

Legislation Which May Affect State Courts

Index of Bills on: Criminal Procedure

Note: See specific bills for detail.

- SB 0047** **Intro Date:** 1/22/2003 **Sponsor:** Patterson
Description: Criminal procedure; sentencing guidelines; penalties for polluting Michigan waters; include in sentencing guidelines.
Affected Law: Am. Sec. 13c of Chpt. XVII, PA 175, 1927 (CL 777.13c), as added by PA 30 2002.
- SB 0117** **Intro Date:** 1/30/2003 **Sponsor:** Cropsey
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for impersonating a police officer to commit or attempt to commit a felony; enact.
Affected Law: Amends sec. 16l, ch. XVII of 1927 PA 175 (MCL 777.16l).
- SB 0118** **Intro Date:** 1/30/2003 **Sponsor:** Sanborn
Description: Crimes; other; penalties for impersonating a police officer; increase.
Affected Law: Amends sec. 215 of 1931 PA 328 (MCL 750.215).
- SB 0176** **Intro Date:** 2/12/2003 **Sponsor:** Bishop
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for crime of using a scanning device or reencoder to defraud; establish.
Affected Law: Amends sec. 16r, ch. XVII of 1927 PA 175 (MCL 777.16r).
- SB 0181** **Intro Date:** 2/13/2003 **Sponsor:** Patterson
Description: Crimes; drunk driving; body alcohol content for operating under the influence or while visibly impaired; reduce.
Affected Law: Amends secs. 625, 625a, 625c, 625g & 625m of 1949 PA 300 (MCL 257.625 et seq.)
- SB 0197** **Intro Date:** 2/19/2003 **Sponsor:** Leland
Description: Criminal procedure; probation; probation for certain nonviolent drug offenses; require.
Affected Law: Amends sec. 7411 of 1978 PA 368 (MCL 333.7411).
- SB 0232** **Intro Date:** 2/27/2003 **Sponsor:** Johnson
Description: Criminal procedure; evidence; prior acts of domestic violence; allow to be admissible as evidence.
Affected Law: Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 27b to ch. VIII.

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- SB 0376** **Intro Date:** 4/3/2003 **Sponsor:** Basham
Description: Liquor; drinking age; penalties for minors in possession of alcohol; increase under certain circumstances.
Affected Law: Amends sec. 703 of 1998 PA 58 (MCL 436.1703).
- SB 0412** **Intro Date:** 4/29/2003 **Sponsor:** Jacobs
Description: Criminal procedure; sentencing guidelines; felonious intimidation; provide for in sentencing guidelines.
Affected Law: Amends sec. 16g, ch. XVII of 1927 PA 175 (MCL 777.16g). TIE BAR WITH: SB 0411'03
- SB 0436** **Intro Date:** 5/1/2003 **Sponsor:** Switalski
Description: Criminal procedure; sentencing; minimum state cost in criminal cases; assess.
Affected Law: Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 1j to ch. IX.
- SB 0449** **Intro Date:** 5/1/2003 **Sponsor:** Cropsey
Description: Courts; funding; allocation of payments made by defendant; revise.
Affected Law: Amends sec. 22, ch. XV of 1927 PA 175 (MCL 775.22).
- SB 0630** **Intro Date:** 7/16/2003 **Sponsor:** Patterson
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for late filing of campaign finance reports; enact.
Affected Law: Amends sec. 11e, ch. XVII of 1927 PA 175 (MCL 777.11e).
- SB 0651** **Intro Date:** 8/13/2003 **Sponsor:** Sanborn
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for crime of possessing more than 10 grams of pseudoephedrine; enact. TIE BAR WITH: SB 0650'03
Affected Law: Amends sec. 13n, ch. XVII of 1927 PA 175 (MCL 777.13n).
- SB 0681** **Intro Date:** 9/16/2003 **Sponsor:** Cherry
Description: Criminal procedure; preliminary examination; expert testimony by video conferencing; allow.
Affected Law: Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 11a, ch. VI.

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- SB 0749** **Intro Date:** 9/30/2003 **Sponsor:** Brown
- Description:** Criminal procedure; sentencing guidelines; sentencing guidelines for crime of stealing or attempting to steal anhydrous ammonia; enact. TIE BAR WITH: SB 0739'03
- Affected Law:** Amends sec. 16r, ch XVII of 1927 PA 175 (MCL 777.16r).
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- SB 0777** **Intro Date:** 10/14/2003 **Sponsor:** George
- Description:** Criminal procedure; sentencing guidelines; transporting anhydrous ammonia in nonapproved container; implement in sentencing guidelines. TIE BAR WITH: SB 0652'03
- Affected Law:** Amends sec. 16x, ch. XVII of 1927 PA 175 (MCL 777.16x).
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- SB 0793** **Intro Date:** 10/23/2003 **Sponsor:** VanWoerkom
- Description:** Criminal procedure; jurisdiction; crime of obtaining personal identity information of another with intent to unlawfully use the information; clarify.
- Affected Law:**
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- SB 0797** **Intro Date:** 10/23/2003 **Sponsor:** George
- Description:** Criminal procedure; sentencing guidelines; sentencing guidelines for crimes of identity theft; establish.
- Affected Law:**
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- SB 0803** **Intro Date:** 10/27/2003 **Sponsor:** Cropsey
- Description:** Criminal procedure; statute of limitations; tolling of statute of limitations in certain cases of identity theft; provide for.
- Affected Law:** Amends sec. 24, ch. VII of 1927 PA 175 (MCL 767.24).
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- SB 0912** **Intro Date:** 1/14/2004 **Sponsor:** Sanborn
- Description:** Criminal procedure; sentencing guidelines; sentencing guidelines for crime of reproducing, altering, counterfeiting, forging, or duplicating Michigan personal identification card; enact.
- Affected Law:** Amends sec. 11b, ch. XVII of 1927 PA 175 (MCL 777.11b). TIE BAR WITH: SB 0913'03
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- SB 0919** **Intro Date:** 1/15/2004 **Sponsor:** Cropsey
- Description:** Criminal procedure; sentencing guidelines; sentencing guidelines for crime of recording a visual image of undergarments, genitalia, buttocks, or female breasts without consent; enact. TIE BAR WITH: SB 0918'04
- Affected Law:** Amends sec. 16z, ch. XVII of 1927 PA 175 (MCL 777.16z).

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- SB 0933** **Intro Date:** 1/28/2004 **Sponsor:** Bishop
Description: Criminal procedure; forfeiture; seizure and forfeiture of property involved in certain identity theft violations; provide for.
Affected Law: Amends sec. 4701 of 1961 PA 236 (MCL 600.4701).
- HB 4006** **Intro Date:** 1/8/2003 **Sponsor:** Kratz
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for certain alcohol-related driving violations; amend to reflect lower bodily alcohol content requirements.
Affected Law: Amends sec. 48, ch. XVII of 1927 PA 175 (MCL 777.48).
- HB 4034** **Intro Date:** 1/28/2003 **Sponsor:** Caul
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for certain crimes involving eavesdropping or surveillance; revise to reflect increased penalties.
Affected Law: Amends sec. 16z, ch. XVII of 1927 PA 175 (MCL 777.16z).
- HB 4145** **Intro Date:** 2/4/2003 **Sponsor:** LaSata
Description: Juveniles; criminal procedure; interstate compact for juveniles; establish.
Affected Law: Creates new act
- HB 4248** **Intro Date:** 2/18/2003 **Sponsor:** Van Regenmorter
Description: Criminal procedure; sentencing guidelines; penalties and sanctions for operating a vehicle while intoxicated; establish at 0.08 grams.
Affected Law: Amends secs. 12f, 14h, 22, 33 & 48, ch. XVII of 1927 PA 175 (MCL 777.12f et seq.).
- HB 4288** **Intro Date:** 2/26/2003 **Sponsor:** Spade
Description: Criminal procedure; sentencing guidelines; crimes of harming or impeding dog guides or service animals; include in guidelines.
Affected Law: Amends sec. 16b, ch. XVII of 1927 PA 175 (MCL 777.16b).
- HB 4328** **Intro Date:** 3/12/2003 **Sponsor:** Bieda
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for crime of child abuse; revise to reflect increased penalty if violation results in death of the child.
Affected Law: Amends sec. 16g, ch. XVII of 1927 PA 175 (MCL 777.16g).

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- HB 4334** **Intro Date:** 3/12/2003 **Sponsor:** Van Regenmorter
Description: Criminal procedure; evidence; preliminary breath tests; allow as admissible evidence in certain criminal prosecutions.
Affected Law: Amends sec. 625a of 1949 PA 300 (MCL 257.625a).
- HB 4349** **Intro Date:** 3/18/2003 **Sponsor:** Sak
Description: Criminal procedure; probation; individual convicted of certain sex crimes involving minors; allow to be prohibited from residing near or entering the property of a school or child care center as condition of probation, and provide minimum period of
Affected Law: Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 2b to ch. XI.
- HB 4407** **Intro Date:** 3/19/2003 **Sponsor:** Kolb
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for crime of releasing PBDE into the environment; provide for.
Affected Law:
- HB 4434** **Intro Date:** 3/20/2003 **Sponsor:** Smith
Description: Criminal procedure; probation; obtaining high school education or GED equivalency as a condition of probation; allow court to order.
Affected Law: Amends sec. 3, ch. XI of 1927 PA 175 (MCL 771.3).
- HB 4447** **Intro Date:** 3/25/2003 **Sponsor:** Plakas
Description: Criminal procedure; statute of limitations; vehicular homicide; extend statute of limitations.
Affected Law: Amends sec. 24, ch. VII of 1927 PA 175 (MCL 767.24).
- HB 4469** **Intro Date:** 3/27/2003 **Sponsor:** Nofs
Description: Criminal procedure; sentencing guidelines; crime of child abuse; amend guidelines statute.
Affected Law:
- HB 4475** **Intro Date:** 3/27/2003 **Sponsor:** Tobocman
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for crime of assaulting or battering public transit employee or passenger on public transit vehicle; enact.
Affected Law: Amends sec. 16d, ch. XVII of 1927 PA 175 (MCL 777.16d).

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- HB 4500** **Intro Date:** 4/1/2003 **Sponsor:** Amos
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for crime of leaving child unattended in a vehicle; enact.
Affected Law: Amends sec. 16g, ch. XVII of 1927 PA 175 (MCL 777.16g).
- HB 4584** **Intro Date:** 4/29/2003 **Sponsor:** Sak
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for certain child abuse violations; revise to reflect increased penalties.
Affected Law: Amends sec. 16g, ch. XVII of 1927 PA 175 (MCL 777.16g). TIE BAR WITH: HB 4583'03
- HB 4594** **Intro Date:** 4/29/2003 **Sponsor:** Nofs
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for use of public records or information to facilitate or further crime; establish. TIE BAR WITH: HB 4593'03
Affected Law: Amends sec. 16x, ch. XVII of 1927 PA 175 (MCL 777.16x).
- HB 4611** **Intro Date:** 5/1/2003 **Sponsor:** Hune
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for manipulating outcome of video lottery or keno game; enact. TIE BAR WITH: HB 4609'03HB 4610'03
Affected Law: Amends sec. 14d, ch. XVII of 1927 PA 175 (MCL 777.14d).
- HB 4615** **Intro Date:** 5/1/2003 **Sponsor:** Tobocman
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for certain crimes involving gross indecency; eliminate to reflect repeal of those crimes.
Affected Law: Amends sec. 16q, ch. XVII of 1927 PA 175 (MCL 777.16q). TIE BAR WITH: HB 4614'03
- HB 4661** **Intro Date:** 5/8/2003 **Sponsor:** Caswell
Description: Courts; district court; district court magistrates who are attorneys; allow to accept guilty or nolo contendere pleas for certain offenses.
Affected Law:
- HB 4715** **Intro Date:** 5/21/2003 **Sponsor:** Nofs
Description: Criminal procedure; warrants; issuance by district court magistrate of search warrant by electronic or electromagnetic means of communication; allow.
Affected Law: Amends sec. 1 of 1966 PA 189 (MCL 780.651).

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- HB 4732** **Intro Date:** 5/22/2003 **Sponsor:** Howell
Description: Criminal procedure; sentencing; minimum state cost in criminal cases; assess.
Affected Law: Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 1j to ch. IX.
- HB 4740** **Intro Date:** 5/22/2003 **Sponsor:** Hunter
Description: Courts; funding; allocation of payments made by defendant; revise.
Affected Law: Amends sec. 22, ch. XV of 1927 PA 175 (MCL 775.22).
- HB 4741** **Intro Date:** 5/22/2003 **Sponsor:** Hunter
Description: Juveniles; criminal procedure; priority of payment of fines, costs, and other payments; revise.
Affected Law: Amends sec. 29, ch. XIIIA of 1939 PA 288 (MCL 712A.29).
- HB 4745** **Intro Date:** 5/22/2003 **Sponsor:** Adamini
Description: Courts; funding; assessments for DNA testing; revise.
Affected Law: Amends sec. 6 of 1990 PA 250 (MCL 28.176).
- HB 4762** **Intro Date:** 5/27/2003 **Sponsor:** Hardman
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for crime of removing human body without permits; enact. TIE BAR WITH: HB 4761'03
Affected Law: Amends sec. 11c, ch. XVII of 1927 PA 175 (MCL 777.11c).
- HB 4815** **Intro Date:** 6/12/2003 **Sponsor:** Daniels
Description: Criminal procedure; sentencing guidelines; mandatory sentence for possession of firearm during commission of felony; increase.
Affected Law: Amends sec. 227b of 1931 PA 328 (MCL 750.227b).
- HB 4819** **Intro Date:** 6/10/2003 **Sponsor:** Adamini
Description: Liquor; drinking age; presence of alcohol in the body of a minor constituting violation of act; provide for.
Affected Law: Amends sec. 703 of 1998 PA 58 (MCL 436.1703).

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- HB 4906** **Intro Date:** 7/1/2003 **Sponsor:** Drolet
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for crime of sodomy between consenting adults; eliminate. TIE BAR WITH: HB 4905'03
Affected Law: Amends sec. 16i, ch. XVII of 1927 PA 175 (MCL 777.16i).
- HB 4916** **Intro Date:** 7/3/2003 **Sponsor:** Koetje
Description: Criminal procedure; sentencing guidelines; prohibited conduct with regard to telecommunications access; amend.
Affected Law: Amends sec. 16z, ch. XVII of 1927 PA 175 (MCL 777.16z).
- HB 4918** **Intro Date:** 7/2/2003 **Sponsor:** Casperson
Description: Crimes; other; duty to retreat before using deadly force in self-defense or defense of another; eliminate under certain circumstances.
Affected Law: Amends 1927 PA 175 (MCL 760.1 - 777.69) by adding sec. 21c to ch. VIII.
- HB 4953** **Intro Date:** 7/15/2003 **Sponsor:** Richardville
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for certain crimes involving eavesdropping; enact. TIE BAR WITH: HB 4952'03
Affected Law: Amends sec. 16z, ch. XVII of 1927 PA 175 (MCL 777.16z).
- HB 4956** **Intro Date:** 7/15/2003 **Sponsor:** Stewart
Description: Criminal procedure; sentencing guidelines; prohibition for tough man or elimination contests; include in sentencing guidelines. BAR WITH: HB 4954'03HB
Affected Law: Amends sec. 16v, ch. XVII of 1927 PA 175 (MCL 777.16v).
- HB 4984** **Intro Date:** 7/16/2003 **Sponsor:** Huizenga
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for certain violations of the Michigan immigration clerical assistant act; enact.
Affected Law: Amends sec. 13p, ch. XVII of 1927 PA 175 (MCL 777.13p).
- HB 5003** **Intro Date:** 7/17/2003 **Sponsor:** Julian
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for certain liquefied petroleum and carbonic gas violations; enact to reflect increased penalties.
Affected Law: Amends sec. 14d, ch. XVII of 1927 PA 175 (MCL 777.14d).

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- HB 5033** **Intro Date:** 8/13/2003 **Sponsor:** Stakoe
Description: Liquor; drinking age; penalties for minor who purchases, attempts to purchase, consumes, attempts to consume, possesses, or attempts to possess an alcoholic beverage; increase.
Affected Law: Amends sec. 703 of 1998 PA 58 (MCL 436.1703).
- HB 5057** **Intro Date:** 9/23/2003 **Sponsor:** Jamnick
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for crime of installing an eavesdropping device; remove from guidelines. TIE BAR WITH: HB 5056'03
Affected Law: Amends sec. 16z, ch. XVII of 1927 PA 175 (MCL 777.16z).
- HB 5079** **Intro Date:** 9/25/2003 **Sponsor:** Hardman
Description: Criminal procedure; sentencing; penalties for juvenile who commits a crime with a motor vehicle resulting in death; limit to not more than 25 years' imprisonment.
Affected Law: Amends sec. 1, ch. IX of 1927 PA 175 (MCL 769.1).
- HB 5153** **Intro Date:** 10/9/2003 **Sponsor:** Law
Description: Criminal procedure; sentencing guidelines; penalties for polluting Michigan waters; include in sentencing guidelines. TIE BAR WITH: HB 5152'03
Affected Law: Amends sec. 13c, ch. XVII of 1927 PA 175 (MCL 777.13c).
- HB 5159** **Intro Date:** 10/14/2003 **Sponsor:** Acciavatti
Description: Criminal procedure; sentencing guidelines; penalties for possession or release of certain aquatic species; include in sentencing guidelines. TIE BAR WITH: HB 5158'03
Affected Law: Amends sec. 13e, ch. XVII of 1927 PA 175 (MCL 777.13e).
- HB 5171** **Intro Date:** 10/14/2003 **Sponsor:** Pastor
Description: Criminal procedure; sentencing guidelines; sentencing guidelines to reflect mandatory minimum sentence for fleeing and eluding crimes; amend.
Affected Law: Amends sec. 16x, ch. XVII of 1927 PA 175 (MCL 777.16x).
- HB 5176** **Intro Date:** 10/15/2003 **Sponsor:** Farhat
Description: Criminal procedure; sentencing guidelines; crime of adulterating, misbranding, or substituting drugs; provide for. TIE BAR WITH: HB 5175'03
Affected Law: Amends sec. 13n, ch. XVII of 1927 PA 175 (MCL 777.13n).

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- HB 5177** **Intro Date:** 10/15/2003 **Sponsor:** Ehardt
Description: Criminal procedure; sentencing guidelines; increased penalties for certain adulterations of drugs and medicine; provide. TIE BAR WITH: HB 5174'03HB 5178'03
Affected Law: Amends sec. 16a, ch. XVII of 1927 PA 175 (MCL 777.16a).
- HB 5178** **Intro Date:** 10/16/2003 **Sponsor:** Casperson
Description: Corrections; parole; provision relating to nonparolable life sentences; expand to include certain convictions. TIE BAR WITH: HB 5174'03HB 5177'03
Affected Law: Amends sec. 34 of 1953 PA 232 (MCL 791.234).
- HB 5287** **Intro Date:** 11/6/2003 **Sponsor:** Farrah
Description: Criminal procedure; sentencing guidelines; penalties for submission of false certification or documentation; include in sentencing guidelines. TIE BAR WITH: HB 5286'03
Affected Law: Amends sec. 13c, ch. XVII of 1927 PA 175 (MCL 777.13c).
- HB 5336** **Intro Date:** 12/4/2003 **Sponsor:** Stakoe
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for crime of audio visual recording in a motion picture facility; enact.
Affected Law: Amends sec. 16w, ch. XVII of 1927 PA 175 (MCL 777.16w). TIE BAR WITH: HB 5347'03
- HB 5370** **Intro Date:** 12/11/2003 **Sponsor:** LaJoy
Description: Criminal procedure; sentencing guidelines; sentencing guidelines graduated penalty scheme for unpaid support; enact.
Affected Law: Amends sec. 16i, ch. XVII of 1927 PA 175 (MCL 777.16i). TIE BAR WITH: HB 5369'03
- HB 5380** **Intro Date:** 12/11/2003 **Sponsor:** Wojno
Description: Criminal procedure; sentencing guidelines; sentencing guidelines for hazing; enact.
Affected Law: Amends sec. 16t, ch. XVII of 1927 PA 175 (MCL 777.16t). TIE BAR WITH: HB 5378'03
- HB 5393** **Intro Date:** 12/30/2003 **Sponsor:** Waters
Description: Criminal procedure; expunction; conditional expunction of criminal record; provide for under certain circumstances.
Affected Law: Amends secs. 1, 2 & 3 of 1965 PA 213 (MCL 780.621 et seq.) & adds sec. 1b.

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- HB 5493** **Intro Date:** 2/10/2004 **Sponsor:** Waters
Description: Criminal procedure; expunction; record expungement for certain offenders; provide for.
Affected Law: Amends sec. 1 of 1965 PA 213 (MCL 780.621).
- HB 5642** **Intro Date:** 3/11/2004 **Sponsor:** Rocca
Description: Criminal procedure; other; deferring acceptance for incarceration; prohibit for first or second degree home invasion offenses.
Affected Law: Amends sec. 8 of 1982 PA 325 (MCL 801.58).
- HB 5648** **Intro Date:** 3/16/2004 **Sponsor:** Howell
Description: Juveniles; criminal procedure; payment of minimum state cost by juveniles; revise procedure.
Affected Law: Amends secs. 18 & 18m, ch. XIA of 1939 PA 288 (MCL 712A. 18 & 712A.18m).
- HB 5716** **Intro Date:** 3/30/2004 **Sponsor:** Meisner
Description: Juveniles; criminal procedure; commitment of juvenile to drug treatment court; allow. TIE BAR WITH: SB 0998'04
Affected Law: Amends secs. 6 & 18, ch. XIA of 1939 PA 288 (MCL 712A.6 & 712A.18).
- HJ W** **Intro Date:** 2/19/2004 **Sponsor:** Julian
Description: Allows death penalty for conviction of first degree murder.
Affected Law: Amends sec. 46, art. IV of the state constitution.